

COUNTY OF SAN DIEGO  
STATEMENT OF PROCEEDINGS  
REGULAR MEETING OF BOARD OF SUPERVISORS  
WEDNESDAY, MAY 3, 2000

**MORNING SESSION:**

Meeting was called to order at 9:02 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Approval of Board of Supervisors Statement of Proceedings/Minutes for Meetings of April 5, 2000 and April 12, 2000.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors approved the minutes for the meetings of April 5, 2000 and April 12, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

ABSENT: Roberts

Board of Supervisors' Agenda Items

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1. NOTICED PUBLIC HEARING:  
RANCHO CIELO; TENTATIVE MAP 5093TE TIME EXTENSION; RANCHO CIELO SPECIFIC PLAN; SAN DIEGUITO COMMUNITY PLAN
  2. NORTH COUNTY TRANSIT DISTRICT (NCTD) UPDATE ON FAST FORWARD: 21<sup>ST</sup> CENTURY TRANSIT SOLUTIONS FOR NORTH COUNTY
  3. SET HEARING FOR 6/21/2000, 9:00 A.M.  
ADOPT A RESOLUTION OF INTENTION TO ESTABLISH SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF DRIVE IN THE SPRING VALLEY AREA  
[FUNDING SOURCES ARE GAS TAX AND PERMANENT ROAD DIVISION INTERNAL SERVICE FUND LOAN]
  4. SOLE SOURCE PROCUREMENT OF REPLACEMENT TOTAL STATIONS FOR FIELD SURVEYS  
[FUNDING SOURCE IS PUBLIC WORKS INTERNAL SERVICE FUND]
  5. ADVERTISE AND AWARD CONTRACT FOR CONCRETE CURBS, GUTTERS, AND SIDEWALKS IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY  
[FUNDING SOURCE IS GAS TAX FUNDS]

6. ADVERTISE AND AWARD CONTRACT FOR CULVERT REHABILITATION IN THE VICINITIES OF VALLEY CENTER, FALLBROOK AND RANCHO SANTA FE  
[FUNDING SOURCE IS GAS TAX FUNDS]
7. GILLESPIE FIELD – CONFEDERATE AIR FORCE AIR GROUP ONE MUSEUM – NEW AVIATION LEASE WITH RPG INVESTMENTS DBA AIRCRAFT STORAGE SPACES  
[FUNDING SOURCE IS THE AIRPORT ENTERPRISE FUND]  
(4 VOTES)
8. ESTABLISHMENT OF APPROPRIATIONS FOR THE ACQUISITION OF A LOCAL PARK SITE IN BORREGO SPRINGS  
[FUNDING SOURCE IS ANZA BORREGO AREA PARK LAND DEDICATION ORDINANCE FUNDS]  
(4 VOTES)
9. COUNTY TRANSIT SYSTEM BUS PURCHASES AND BUDGET ADJUSTMENTS  
[FUNDING SOURCES ARE TDA AND MTDB REVENUES]
10. ADMINISTRATIVE ITEM:  
APPROVAL OF A FINAL MAP AND SECURED AGREEMENTS FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO 4939-1, LOCATED IN ALPINE COMMUNITY PLANNING AREA  
(RELATES TO SANITATION DISTRICT AGENDA ITEM NO. 1)
11. ADMINISTRATIVE ITEM:  
EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACTS 4062-1 AND 4062-2, FINAL MAPS 11998 AND 11999, RESPECTIVELY, LOCATED IN THE FALLBROOK PLANNING AREA
12. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE  
ADOPTION OF ORDINANCE ESTABLISHING ANNUAL SEWER SERVICE CHARGES, CAPACITY FEES, SERVICE AVAILABILITY COMMITMENTS, DEVELOPER REIMBURSEMENT AGREEMENTS AND REQUIREMENTS FOR EAST OTAY MESA SEWER MAINTENANCE DISTRICT
13. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES  
TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE COUNTY BOARD OF SUPERVISORS

14. ADMINISTRATIVE ITEM:  
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC  
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO.  
5163-1, LOCATED IN THE NORTH COUNTY METROPOLITAN  
SUBREGIONAL PLANNING AREA
15. ADMINISTRATIVE ITEM:  
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC  
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO.  
4944-1, LOCATED IN THE VALLEY CENTER COMMUNITY PLANNING  
AREA
16. CLOSED SESSION
17. PUBLIC COMMUNICATIONS

1. **SUBJECT: NOTICED PUBLIC HEARING:  
RANCHO CIELO; TENTATIVE MAP 5093TE TIME EXTENSION;  
RANCHO CIELO SPECIFIC PLAN; SAN DIEGUITO COMMUNITY  
PLAN**  
(Supv. Dist: 3)

**OVERVIEW:**

This is an appeal of a Planning Commission Decision of Denial of a request for a Time Extension of Tentative Map TM 5093TE. The Tentative Map is a subdivision of 248 acres into 96 residential lots ranging in size from 0.5 to 2.75 acres. The site is located northwest of Del Dios Highway and south of Mount Israel Road, within the Rancho Cielo Specific Plan, and is zoned RR1 (Rural Residential; one dwelling unit per acre).

**FISCAL IMPACT:**

Not applicable.

**RECOMMENDATION:**

**PLANNING COMMISSION:**

Deny the Time Extension for the reason included in the staff report and the Resolution of Denial.

**DEPARTMENT OF PLANNING AND LAND USE:**

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the subsequent Findings for Determining the Appropriate Environmental Documentation for Use on a Subsequent Project with a Previously Certified Environmental Impact Report dated March 3, together with comments received during public review, and adopt it, finding that it reflects the independent judgement and analysis of the Board of Supervisors.
2. Grant the appeal and adopt the Resolution approving TM 5093TE and P96-012 that makes appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and state law .
3. Adopt the Multiple Species Conservation Program Conformance Findings.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, adopting Resolution No. 00-141, entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING CONDITIONS FOR TENTATIVE MAP NO. TM 5093TE; adding the following condition: "Within 90 days of the approval of the time extension for TM 5093 and prior to recordation of the Final Map, the applicant shall grant to the County of San Diego a permanent open space easement over portions as shown as "Ten Year Open Space Easement Areas," as described in Exhibit "A." This easement is for the protection of Diegan coastal sage scrub and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction,

erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space."

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: NORTH COUNTY TRANSIT DISTRICT (NCTD) UPDATE ON FAST FORWARD: 21<sup>ST</sup> CENTURY TRANSIT SOLUTIONS FOR NORTH COUNTY**  
(Supv. Dist: 2,3,5)

**OVERVIEW:**

On August 3, 1999 the Board of Supervisors received a brief presentation from NCTD staff on Fast Forward: 21<sup>st</sup> Century Transit Solutions for North County.

Today, NCTD staff will provide an update on the progress of this study.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**SUPERVISOR HORN:**

Receive a brief presentation from NCTD Staff.

**ACTION:**

The Board received a presentation from NCTD staff.

3. **SUBJECT: SET HEARING FOR 6/21/2000, 9:00 A.M.**  
**ADOPT A RESOLUTION OF INTENTION TO ESTABLISH SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF DRIVE IN THE SPRING VALLEY AREA**  
(Supv. Dist: 2)

**OVERVIEW:**

Golf Drive in Spring Valley is within the County Maintained Road System, with the exception of a 1,100-foot private segment. Maintenance of the private segment, between Lakeview Drive and Foursome Drive, has been performed for years by area property owners. These local residents, faced with the need for an improvement project, requested a traffic study to determine whether their road was being used by them or by other motorists. The study showed the general public-to-resident road use ratio was 2-1. This indicates cost sharing for road improvements should be at the same ratio. In addition, residents have signed a petition to form a Permanent Road Division zone of benefit as a mechanism to finance their part of the road improvement project, which will be budgeted and take place in FY 2000-01.

This is a request to accept the Petition of Understanding and Support signed by 92 percent of area property owners, adopt a resolution of intention to establish Zone 1009 in the Countywide

Permanent Road Division, and direct staff to conduct a mailed ballot proceeding to form the zone, as required by State law. Approval of an Engineer's Report proposing cost sharing at a 2-1 ratio is also requested. By taking these actions, the Board will initiate formation of the new zone of benefit and make possible needed road improvements to Golf Drive. Once road improvements are made, the Board will be requested to approve acceptance of this segment of road as part of the County Maintained Road System.

**FISCAL IMPACT:**

Funds for administering these requests are budgeted in the Special Districts formation fund, which will be reimbursed after formation of the proposed district. If approved, this request will result in a current year processing cost charged to formation expense for Golf Drive of \$4,175. Subsequent year costs associated with implementing the work plan, estimated at \$83,000, will be budgeted in the Department of Public Works Detailed Work Program (\$55,300) and PRD 1009 (\$27,700). Funding sources will be Gas Tax and Permanent Road Division Internal Service Fund Loan. No addition of staff years are required by these actions.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find, in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment.
2. Accept a Petition of Understanding and Support, on file in the Office of Special Districts, requesting formation of Permanent Road Division Zone No. 1009 to improve a section of Golf Drive between Lakeview Drive and Foursome Drive.
3. Adopt a Resolution entitled Resolution of Intention to Establish San Diego Countywide Permanent Road Division No. 1000, Zone No. 1009 – Golf Drive, which sets June 21, 2000, as the date of required public hearing.
4. Direct staff to prepare and conduct a mailed ballot proceeding stipulated by State law to owners of property located within the boundary of proposed Permanent Road Division Zone No. 1009.
5. Approve the Engineer's Report for proposed San Diego Countywide Permanent Road Division No. 1000, Zone No. 1009 – Golf Drive.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-142, entitled: RESOLUTION OF INTENTION TO ESTABLISH SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009-GOLF DRIVE, setting Hearing for June 21, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: SOLE SOURCE PROCUREMENT OF REPLACEMENT TOTAL STATIONS FOR FIELD SURVEYS**  
(Supv. Dist: All )

**OVERVIEW:**

The Field Survey Section of the Department of Public Works provides many services, including construction staking and topographic surveys for County projects, land boundary retracements for improvements to County property, setting control for aerial mapping projects, and recovery and remonumentation of historical land corners.

Total stations are survey instruments that measure distances and angles to features, and electronically record this data for upload into databases. The Field Survey section's total stations are nearly ten years old and technically obsolete. The manufacturer of these total stations, Leica, Inc., produces a new product with features that greatly improve data collection and stakeout techniques. Purchase of this replacement equipment will improve surveying efficiency and quality of the products produced.

This request is to approve sole source procurement of seven Auto-Targeting Reflectorless Robotic Total Stations manufactured by Leica, Inc. and supplied by Surveyors Service Company of Costa Mesa. The system should not exceed current fiscal year cost of \$156,000, and an estimated \$105,000 in fiscal year 2000-01.

**FISCAL IMPACT:**

Funds for this request are budgeted. Funding source is Public Works Internal Service Fund. If approved, this request will result in \$156,000 current year cost, \$105,000 Fiscal Year 2000-01 cost, no annual cost, and will require no additional staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Purchasing and Contracting Deputy Director to enter into negotiations with Surveyors Service Company; and subject to successful negotiations and determination of a fair and reasonable price, award a contract for purchase of four Total Stations (TCRA 1103) in fiscal year 1999-00 and three in fiscal year 2000-01.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: ADVERTISE AND AWARD CONTRACT FOR CONCRETE CURBS, GUTTERS, AND SIDEWALKS IN UNINCORPORATED AREAS OF SAN DIEGO COUNTY**  
(Supv. Dist: All )

**OVERVIEW:**

This annual construction project will contribute to revitalization of surrounding areas by improving pedestrian safety and street drainage. Improvements included in this contract are in the communities of Bonita, La Presa, Lake San Marcos, Los Vallecitos, Ramona, Rancho San Bernardo, Rancho Santa Fe, Spring Valley, and Wintergardens.

This is a request to authorize advertisement and subsequent award of a contract to remove and replace damaged curbs, gutters, and sidewalks, and to construct pedestrian ramps and cross gutters in unincorporated areas of San Diego County.

**FISCAL IMPACT:**

Funds for this proposal are budgeted in the Detailed Work Program. Funding source is Gas Tax funds. If approved, this request will result in \$235,000 current year cost, no annual cost, and require no additional staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that this project is categorically exempt from provisions of the Guidelines since it consists of minor alteration or repair of existing public roads and sidewalks with no increase in capacity.
2. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3 (a) of the Administrative Code with respect to contracting for the subject public works projects.
3. Designate the Director, Public Works, as County Officer responsible for administering the contract.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn



6. **SUBJECT: ADVERTISE AND AWARD CONTRACT FOR CULVERT REHABILITATION IN THE VICINITIES OF VALLEY CENTER, FALLBROOK AND RANCHO SANTA FE**  
(Supv. Dist: 3,5 )

**OVERVIEW:**

Highway culvert rehabilitation is planned at seven sites in the vicinities of Valley Center, Rancho Santa Fe, and Fallbrook, where existing culverts have deteriorated from years of service and are now leaking and subject to failure.

The culverts will be lined with a polyvinyl chloride lining. This is a relatively fast process that avoids open road cutting and minimizes traffic disruptions. Lining culverts will restore and improve drainage capacity, prevent sinkholes from developing and allow continued safe passage of vehicles traveling over buried culverts.

This is a request for approval of advertisement and subsequent award of a construction contract to perform culvert repairs. Upon Board approval, project will be advertised for public bidding and a construction contract will subsequently be awarded to the lowest responsible bidder.

**FISCAL IMPACT:**

Funds for this proposal are budgeted in the Road Fund. Funding source is Gas Tax Funds. If approved, this request will result in \$275,000 current year cost, no annual cost, and require no additional staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find in accordance with Section 15302 (c) of the California Environmental Quality Act (CEQA) Guidelines this project is categorically exempt from provisions of the guidelines since it consists of replacement or reconstruction of existing facilities involving negligible or no expansion of capacity.
2. Authorize the Deputy Director, Purchasing and Contracting Division of General Services to take any action authorized by Section 398.17.3(a) of the Administrative Code with respect to contracting for subject public works project.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the contract.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: GILLESPIE FIELD - CONFEDERATE AIR FORCE AIR GROUP ONE MUSEUM - NEW AVIATION LEASE WITH RPG INVESTMENTS DBA AIRCRAFT STORAGE SPACES**  
(Supv. Dist: 2 )

**OVERVIEW:**

The Confederate Air Force is an international, educational, and historical organization privately funded and totally self-supporting. The San Diego unit is referred to as Confederate Air Force Air Group One San Diego Wing. Air Group One's purposes are patriotic, educational, and civic and are proven by its successful "Wings Over Gillespie" static air shows from 1994-1999 at Gillespie Field. "Wings Over Gillespie" is the largest public relations event for Gillespie Field with over 30,000 in attendance. To extend the benefits of Wings Over Gillespie to a year-round basis; Air Group One plans to establish a museum at Gillespie Field. The museum will not charge an admission fee and will include an Aviation Career Resource Center, as well as displays of historical aircraft.

Gillespie Field's businesses will benefit by additional fuel sales and an increased demand for aircraft storage rentals as pilots relocate from other airports to be in close proximity to the museum. The County and hospitality industry in East County will benefit from enhanced good will and publicity associated with the Air Group One's museum and activities.

To establish the museum, RPG Investments at Gillespie Field has agreed to sell an existing hangar and office building to Air Group One. This is a proposal to approve a new lease that allows this sale. Because the public benefit is great, the proposed new lease includes a reduction of base ground rent to RPG Investments for the one acre parcel upon which the facility is sited. The public benefits and publicity from Air Group One's museum will more than offset the reduction of rent.

**FISCAL IMPACT:**

Funding source is the Airport Enterprise Fund. If approved, this request will result in a \$700 reduction in current year revenue and a \$4,800 reduction in FY 2000-01 revenue, and will require no additional staff years.

**BUSINESS IMPACT STATEMENT:**

The proposed actions will increase benefits of Air Group One's activities that annually draw thousands to Gillespie Field in El Cajon. The County and Gillespie Field will receive additional publicity and good will through Air Group One's extended efforts. Gillespie Field aviation businesses anticipate increased fuel sales and hangar rental income as more aircraft relocate to be in proximity to the Air Group One museum. Air Group One's increased activities will provide additional revenue to the area's hospitality and tourism businesses, including hotels, restaurants, and rental cars.

**RECOMMENDATION:****CHIEF ADMINISTRATIVE OFFICER:**

1. Find that the Environmental Impact Report on file in the Department of Public Works dated June 30, 1987 has been adopted in compliance with CEQA and State and County CEQA guidelines, that the Board has reviewed and considered the information contained therein prior to approving the project, that the EIR reflects the independent judgement and analysis of the Board, and:

Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts not considered in the previously certified EIR, and that no new information of substantial importance has become available since said EIR was prepared.

2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the Aviation Lease with RPG Investments, Inc, to take effect May 1, 2000 and expire June 30, 2019, County Contract No. 75278R which will cancel and supersede the existing aviation lease, County Contract No. 71168R. (4 VOTES)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: ESTABLISHMENT OF APPROPRIATIONS FOR THE ACQUISITION OF A LOCAL PARK SITE IN BORREGO SPRINGS**  
(Supv. Dist: 5 )

**OVERVIEW:**

Currently, there are no public local parks in the community of Borrego Springs. Recreation facilities are limited to school and private park sites. The Borrego Springs Sponsor Group has recommended the use of \$96,000 in Anza Borrego area Park Land Dedication Ordinance (PLDO) funds to acquire a parcel that can be used as a future local park facility for the residents of the Borrego Springs community. This action will authorize the establishment of appropriations in the amount of \$96,000 for the acquisition of a 16-acre local park site located between Country Club Drive, Church Lane and Sunset Drive in Borrego Springs. Once acquisition of the park site is complete, the Department of Parks and Recreation will work with the Borrego Springs Sponsor Group to plan for development of the park.

**FISCAL IMPACT:**

Funds for this request are not budgeted. The funding source is Anza Borrego area Park Land Dedication Ordinance funds. If approved, this request will result in \$96,000 current year cost, \$0 annual cost and will require the addition of no staff years. Once the park site is acquired, development of the site, including park maintenance and operations, will be managed through various non-County sources. There will be no cost to the General Fund resulting from this action.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find that the Borrego Springs Local Park Acquisition project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15316(a) of the CEQA Guidelines, as it pertains to the transfer of ownership of land in order to create a park, where the land is in a natural condition and the management plan has not been prepared.
2. Approve and authorize the establishment of appropriations in the amount of \$1,000 in Account 6310 in the Anza Borrego Park Land Dedication Ordinance (PLDO) fund 119042, based on Fund Balance available. (4 VOTES)
3. Approve and authorize the transfer of appropriations in the amount of \$95,000 from Account 3453 to Account 6310 within the Anza Borrego PLDO fund 119042.
4. Approve and authorize the establishment of appropriations in the amount of \$96,000 in Capital Project KA0553, Borrego Springs Local Park Acquisition, based on an operating transfer from the Anza Borrego PLDO fund. (4 VOTES)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: COUNTY TRANSIT SYSTEM BUS PURCHASES AND BUDGET  
ADJUSTMENTS**  
(Supv. Dist: All )

**OVERVIEW:**

County Transit System Suburban bus service has enjoyed tremendous growth in ridership over the past decade. Transportation will be provided for an estimated 4.3 million suburban passengers this fiscal year. Many buses in the County Transit Suburban bus fleet have exceeded their recommended 12-year life cycle. There is also a need for additional buses to increase system reliability and on-time performance.

This is a request to:

- 1) Purchase six mid-size National Eldorado buses to be added to East County Transit System Suburban bus service,
- 2) Purchase 26 low-floor buses through a lease program with Metropolitan Transit Development Board (MTDB) for replacement of buses beyond their life cycle, and
- 3) Make a required payment to American Red Cross, the County's contract Paratransit provider.

The six new mid-size buses will be used in and around the City of Santee to replace underutilized larger buses currently operating there. Last spring the City of Santee requested smaller buses to better match passenger demand. The larger buses will be reassigned to heavily traveled East County suburban routes.

Purchase of six mid-size buses will require waiving the advertising requirement of Board Policy A-87, Competitive Procurement. This will enable sole source purchase from Creative Bus Sales, sole distributor for National Eldorado buses. Sole source purchase will substantially reduce bus driver training, maintenance costs, parts inventory costs, and purchase acquisition time. This purchase is partially budgeted. An amendment to the Transit Enterprise Fund spending plan is requested to complete the purchase, using available unanticipated revenue from Transportation Development Act (TDA) funds.

The Board is also requested to approve an agreement between the County of San Diego and MTDB to purchase 26 low-floor buses to replace County Transit System buses beyond their recommended 12-year life cycle. Under this agreement the County Transit System Bus Capital Reserve Account will provide the 50 percent local TDA fund match (\$3.8 million), with MTDB funding the remaining 50 percent using federal capital funds, for a total of \$7.6 million. This is the first time MTDB has agreed to provide federal funds to assist the County in acquiring buses. Receipt of these funds will enable the County to accelerate acquisition of these replacement buses.

Contract payments are owed to American Red Cross for Americans with Disabilities Act Paratransit services. In the adopted FY 1999/00 Transit Enterprise Fund spending plan, Specialized Transit Services budget, Americans with Disabilities Act revenue was budgeted at \$1,420,451, which was under-budgeted by \$824,998 due to an error in accounting entry. The Board is requested to amend the Transit Enterprise Fund spending plan using \$824,998 from TDA and MTDB revenue allocated for this purpose, so contractually required payments to American Red Cross can be made.

#### **FISCAL IMPACT:**

##### Purchase of six mid-size buses - Recommendations 1-5

Purchase of six National Eldorado RE mid-size buses is partially budgeted in General Public Transit Org 6821 Account 4509 (\$1,086,688), including monies for which TDA claims are made). A Transit Enterprise Fund spending plan amendment of \$326,548 is necessary to completely fund purchase of six mid-size buses estimated to cost \$1,413,236. Funding source is the TDA Capital Reserve Account, contingent on MTDB approval to use these funds. If approved, this request will result in a current year cost of \$1,413,236, no annual cost, and will require no additional staff years.

##### Purchase of 26 low-floor buses - Recommendation 6

The 50 percent match (\$3.8 million) for acquisition and lease of 26 low-floor buses is budgeted in General Public Transit Org 6821 Account 4509. Funding source is the TDA Capital Reserve Account. If approved, this request will result in a current year cost of \$3.8 million, no annual cost, and will require no additional staff years.

American Disabilities Act Contract Payments - Recommendation 7

Funding in the amount \$824,998 is available in the County's Transportation Development Act Claim for FY 1999-00 (Funding sources are TDA and MTDB revenues). Amending the Transit Enterprise Fund spending plan in this amount will allow CTS to pay its contractor, American Red Cross, for routine American Disabilities Act Paratransit services. These funds were inadvertently not included in the County budget. If approved, this request will result in no annual cost and will require no additional staff years.

These requests will result in no impact to the General Fund.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve a mid-year FY 1999-00 San Diego County Transit System Transportation Development Act claim in the amount of \$954,000 reducing the East County Bus Maintenance Facility project and increasing Bus Capital Reserves by \$954,000 for submittal to SANDAG and MTDB for purchase of six mid-size buses.
2. Approve a mid-year FY 1999-00 State Transportation Assistance claim for \$72,249 to be submitted to MTDB and SANDAG to increase current year Capital Bus Reserves for purchase of six mid-size buses.
3. Amend the FY 1999-00 Transit Enterprise Fund spending plan, increasing it by \$326,548 in Org 6821 Account 4509, Activity BUS503 based on unanticipated revenue from Transportation Development Act funds, contingent on MTDB approval for purchase of six mid-size buses.
4. Waive the advertising requirement of Board Policy A-87 (Competitive Procurement) for sole source purchase of six buses from Creative Bus Sales, the national distributor for National Eldorado buses.
5. Approve and authorize the Deputy Director, Purchasing and Contracting to enter into negotiations with Creative Bus Sales, and, after determination of a fair and reasonable price, award a contract for purchase of six National Eldorado RE mid-size buses for East County Suburban bus service, for an amount not to exceed \$1,413,236, contingent on MTDB approval of funding.
6. Approve and authorize the Director of Public Works to execute two copies of an agreement between the Metropolitan Transit Development Board and the County of San Diego for Transfer and Exchange of Federal Funds for Local Funds for Acquisition and Lease of 26 Buses for a 12-year lease term.
7. Amend the FY 1999-00 Transit Enterprise Fund spending plan, increasing it in the amount of \$824,998 (Org. 6822, Account 2376), based on unanticipated revenue of \$341,525 from Transportation Development Act revenue (acct. 9061), and \$483,473 from MTDB revenue (Acct. 9746) to pay the American Red Cross for American Disabilities Act Paratransit services under Contract No. 42476 in FY 1999-00.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: ADMINISTRATIVE ITEM:**  
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENTS FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO. 4939-1, LOCATED IN ALPINE COMMUNITY PLANNING AREA**  
(Supv. Dist: 2 )

**OVERVIEW:**

This project is a subdivision consisting of 14 single-family residential lots, and a total acreage of 10.55 acres. It is located in the Alpine area, southeasterly of the South Grade Road and Alpine Boulevard intersection . (Thomas Guide, Page 1234, C-2, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreements for the public and private improvements.

**FISCAL IMPACT:**

This request will have no fiscal impact.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map and accept on behalf of the public, subject to improvements, Suncrest Vista Lane and a portion of South Grade Road for use as a street as dedicated on said map.
2. Accept, on behalf of the County, the drainage and sewer easements, all as dedicated on said map.
3. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, sewer facilities, water facilities, and the setting of final monuments.

(Relates to Sanitation District Agenda Item No. 1)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: ADMINISTRATIVE ITEM:**  
**EXTEND THE TIME TO COMPLETE IMPROVEMENTS FOR**  
**COUNTY OF SAN DIEGO TRACTS 4062-1 AND 4062-2, FINAL MAPS**  
**11998 AND 11999, RESPECTIVELY, LOCATED IN THE FALLBROOK**  
**PLANNING AREA**  
(Supv. Dist: 5 )

**OVERVIEW:**

This is a request to extend, for a period of two years, the performance completion date for County of San Diego Tracts 4062-1 and 4062-2. These tracts are residential subdivisions consisting of 19 single-family residential lots on 40.80 acres and 24 single-family residential lots on 80.98 acres, respectively. They are located in the Fallbrook area, on the southerly side of Del Valle Drive, 970 feet westerly from Olive Hill Road. (Thomas Guide 1047, F-5, 2000 Edition)

**FISCAL IMPACT:**

Not applicable

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

Grant an extension of time for a period of two years, ending June 15, 2002, for the performance completion date for County of San Diego Tracts 4062-1 and 4062-2.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCE**  
**ADOPTION OF ORDINANCE ESTABLISHING ANNUAL SEWER**  
**SERVICE CHARGES, CAPACITY FEES, SERVICE AVAILABILITY**  
**COMMITMENTS, DEVELOPER REIMBURSEMENT AGREEMENTS**  
**AND REQUIREMENTS FOR EAST OTAY MESA SEWER**  
**MAINTENANCE DISTRICT**  
(Supv. Dist: 1)

**OVERVIEW:**

On April 12, 2000 (8), your Board introduced Ordinance for further Board consideration on May 3, 2000.

On June 16, 1999 (1) the Board established the East Otay Mesa Sewer Maintenance District for the purpose of providing sewage collection and transportation services for the unincorporated East Otay Mesa area. Board adoption of an ordinance is required to collect capacity fees and annual sewer service charges; to provide for developer reimbursement agreements; and to comply with the City of San Diego's required reimbursement charges.



In accordance with Proposition 218, which requires notification, a notice was mailed to all District property owners on February 28, 2000 announcing a public hearing was to be scheduled for April 12, 2000. This is a request to conduct the required public hearing and, after considering public testimony, approve the ordinance for further consideration and adoption on May 3, 2000.

**FISCAL IMPACT:**

The requested action will result in no additional staff years and no fiscal impact to the County General Fund.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

Adopt Ordinance entitled:

AN ORDINANCE ESTABLISHING ANNUAL SEWER SERVICE CHARGES,  
CAPACITY FEES, SERVICE AVAILABILITY

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 9146, (N.S.) entitled: AN ORDINANCE ESTABLISHING ANNUAL SEWER SERVICE CHARGES, CAPACITY FEES, SERVICE AVAILABILITY COMMITMENTS, DEVELOPER REIMBURSEMENT AGREEMENTS AND REQUIREMENTS FOR EAST OTAY MESA SEWER MAINTENANCE DISTRICT.

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCES**  
**TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE**  
**COUNTY BOARD OF SUPERVISORS**  
(Supv. Dist: 2,3,& 5)

**OVERVIEW:**

On April 12, 2000 (7), your Board introduced Ordinances for further Board consideration on May 3, 2000.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed changes or additions to traffic controls. Twenty-seven items were on the agenda for the Committee's February 25, 2000 meeting. The Committee recommends your action on 27 items, recommending adoption of 11 items, and not recommending adoption of or taking an alternative action on 12 items (A, C, D, J, K, M, N, O, Q, R, U & V). The Committee also recommends the continuance of four items (S1, S2, W, & X).

On January 12, 2000, the Board continued the issue of parking prohibitions pertaining to Cape Horn Drive in Julian in order to receive recommendations from the Julian Community Planning Group. The Traffic Advisory Committee had reviewed a request for parking prohibitions at their October 8, 1999 meeting. This report includes two recommendations from the Chief Administrative Officer based on the recommendations from the planning group.

**FISCAL IMPACT:**

Funds for this proposal are budgeted in the Department of Public Works Road Fund.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

Adopt Ordinances entitled:

AN ORDINANCE ADDING SECTION 72.169.75.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item G)

AN ORDINANCE AMENDING SECTION 72.161.17. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item L)

AN ORDINANCE ADDING SECTION 72.243.27.6. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item P)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting the following Ordinances:

Ordinance No. 9147 (N.S.) entitled: AN ORDINANCE ADDING SECTION 72.169.75.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item G)

Ordinance No. 9148 (N.S.) entitled: AN ORDINANCE AMENDING SECTION 72.161.17. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item L)

Ordinance No. 9149 (N.S.) entitled: AN ORDINANCE ADDING SECTION 72.243.27.6. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item P)

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: ADMINISTRATIVE ITEM:**  
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR**  
**PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN**  
**DIEGO TRACT NO. 5163-1, LOCATED IN THE NORTH COUNTY**  
**METROPOLITAN SUBREGIONAL PLANNING AREA**  
(Supv. Dist: 5 )

**OVERVIEW:**

This project is a subdivision consisting of 6 single-family residential lots, and a total acreage of 3.475 acres. It is located in the Vista area, on Asterwood Lane, north of the intersection with Parkwood Avenue. (Thomas Guide, Page 1108, B-5, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements.

**FISCAL IMPACT:**

This request will have no fiscal impact.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map.
2. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, water facilities, and setting of final monuments.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

15. **SUBJECT: ADMINISTRATIVE ITEM:**  
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR**  
**PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN**  
**DIEGO TRACT NO 4944-1, LOCATED IN THE VALLEY CENTER**  
**COMMUNITY PLANNING AREA**  
(Supv. Dist: 5)

**OVERVIEW:**

This project is a subdivision consisting of 10 single-family residential lots, and a total acreage of 25.94 acres. It is located in the Valley Center area, at the intersection of Oak Glen Road and McNally Road. (Thomas Guide, Page 1050, E-7, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements.

**FISCAL IMPACT:**

This request will have no fiscal impact.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map and accept on behalf of the public, subject to improvements, the portion of McNally Road for use as a street as dedicated on said map.
2. Accept the access rights from lots 7, 8, 9 and 10 in and to McNally Road as relinquished and waived on said map.
3. Accept the access restriction easements as granted on said map.
4. Accept the open space easements over portions of lots 5 and 6 as granted on said map.
5. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, water facilities, and setting of final monuments.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

16. **SUBJECT: Closed Session**  
(Supv. Dist: All)

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Anticipated litigation pursuant to section (c) of Government Code section 54956.9  
No. of Potential Cases: 1
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pacific Indemnity Insurance Co. v. County/County v. CIGNA Property & Casualty Company; San Diego Superior Court No. GIC732418 [Ramona Landfill Insurance Coverage Litigation]
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Newport Pacific, Inc., et al. v. County of San Diego, et al.; San Diego Superior Court No. GIC738231

- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
William B. Kolender v. San Diego County Civil Service Commission [Steven Napolitano, Real Party In Interest]
- E. CONFERENCE WITH LABOR NEGOTIATORS  
Designated Representative: Carlos Arauz, Madge Blakey and Mike Kolb  
Employee Organizations: Deputy Sheriffs Association and District Attorney Investigators

**ACTION:**

On Item A, the Board of Supervisors has authorized County Counsel to join as an Amicus in an action entitled, "Safe Open Space Santa Monica Mountains versus County of Los Angeles." It is pending in the Second District Court of Appeals.

On Item C, New Port Pacific Inc. et al versus County of San Diego, et al, the Board of Supervisors has authorized County Counsel to pursue an appeal of that decision.

On Item D, the Board of Supervisors has authorized the filing of an action entitled, "William B. Kolender versus San Diego's Civil Service Commission."

17. **SUBJECT: Public Communication**

Arthur Danell addressed the Board on behalf of Steven Schneider regarding building permit fees.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:00 a.m. in memory of Catalina Gonzales.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Notes by: Andoh  
(Consent and Discussion)

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NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.